

452.
1 BILL NO. G-79-07- 11

2 GENERAL ORDINANCE NO. G-

18-79

3 AN ORDINANCE amending General Ordinance
4 No. G-97 by authorizing the vacation of
a portion of River Run Trail.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. Petition for the vacation of a certain street having
8 been filed with the Fort Wayne City Plan Commission in accordance with
9 Section 44, Chapter 174, of the Acts of the General Assembly of the State
10 of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of
11 the General Assembly of the State of Indiana (I.C. 18-7-5-46), the
12 Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by
13 the Common Council of the City of Fort Wayne on November 26, 1963, is
14 amended by deleting the following street, to wit:

15 Part of a certain "50 foot public roadway easement", as
16 set out in the platting of "The Woodlands of Riverside"
17 as recorded in Plat Book 39, pages 78 thru 80 in the
18 Office of the Recorder of Allen County, Indiana, which
19 part is that traversing through land set out in deed
recorded May 10, 1979 as Instrument #79-12235, Gene B.
Glick Company, Inc., grantee, along with a portion of
said "50 foot public roadway easement" lying South of the
said Glick land being more particularly described as
follows:

20 Commencing at the Northwest corner of Section 19,
21 Township 31 North, Range 13 East in Allen County, Indiana;
22 thence South 00 degrees 37 minutes West along the West line
of the said Section 19 a distance of 45.0 feet to the South
23 right of way line of St. Joseph Center Road; thence South
89 degrees 50 minutes East along the said South right of
24 way line, which line is the North line of the said land
set out in Deed to Gene B. Glick Company, Inc., 1397 feet
25 to the West line of the said "50 foot public roadway
easement", which is the PLACE OF BEGINNING; continue thence
26 South 89 degrees 50 minutes East along the said South right
of way line 50.0 feet to the East line of the said "50 foot
27 public roadway easement", (the next 5 described lines are
along the said East line); thence South 0 degree 10 minutes
28 West a distance of 35.0 feet; thence on a curve to the left
having a radius of 250.0 feet a distance of 91.70 feet
29 subtended by a chord of 91.19 feet with a bearing of South 10
degrees 20 minutes East; thence South 20 degrees 51 minutes
30 East a distance of 55.0 feet; thence on a curve to the right
having a radius of 300.0 feet a distance of 222.53 feet
31 subtended by a chord of 217.46 feet with a bearing of South
0 degree 36 minutes East; thence South 21 degrees 39 minutes
32 West a distance of 625.72 feet to the South line of the said
land set out in Deed to Gene B. Glick Company, Inc.; continue

William N. Salin, City Attorney

Read the first time in full and on motion by _____, seconded by _____

_____ *Alvin* _____, and duly adopted, read the second time by title and referred to the Committee on _____ *Regulation* _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 7-10-79

Charles W. Wintersman
CITY CLERK

Read the third time in full and on motion by _____ *Salinico* _____

seconded by _____ *Alvin* _____, and duly adopted, placed on its passage.

PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
BURNS	<u>X</u>	_____	_____	_____	_____
INGA	<u>X</u>	_____	_____	_____	_____
HUNTER	<u>X</u>	_____	_____	_____	_____
LOSES	<u>X</u>	_____	_____	_____	_____
LUCKOLS	_____	_____	_____	<u>X</u>	_____
CHEMIDT, D.	<u>X</u>	_____	_____	_____	_____
CHEMIDT, V.	<u>X</u>	_____	_____	_____	_____
TIER	<u>X</u>	_____	_____	_____	_____
ALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 8-28-79

Charles W. Wintersman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

RESOLUTION) No. G-18-79, on the 28th day of August, 19____
ATTEST: (SEAL)

Charles W. Wintersman
CITY CLERK

Winifred C. Wingo Jr
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 19____, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Wintersman
CITY CLERK

Approved and signed by me this 4th day of September, 19____

at the hour of 3 o'clock

B. M., E.S.T.
Rabab El Amshary
MAYOR

Bill No. G-79-07-11

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation
of a portion of River Run Trail

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

8-28-79 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date 2 July 79

No. 10811

Received From Mt. Vernon Sales & Mortgage Corp.

Address P.O. Box 26292, FNDY - 46226

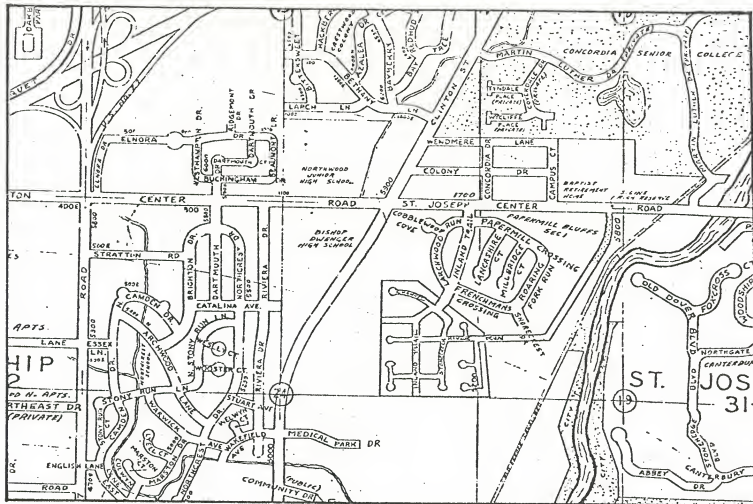
For fifty 00/100 Dollars \$ 30.00

vacation - River Run Trail

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<input checked="" type="checkbox"/>	
BALANCE DUE			MONEY ORDER		

By LatB

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1936

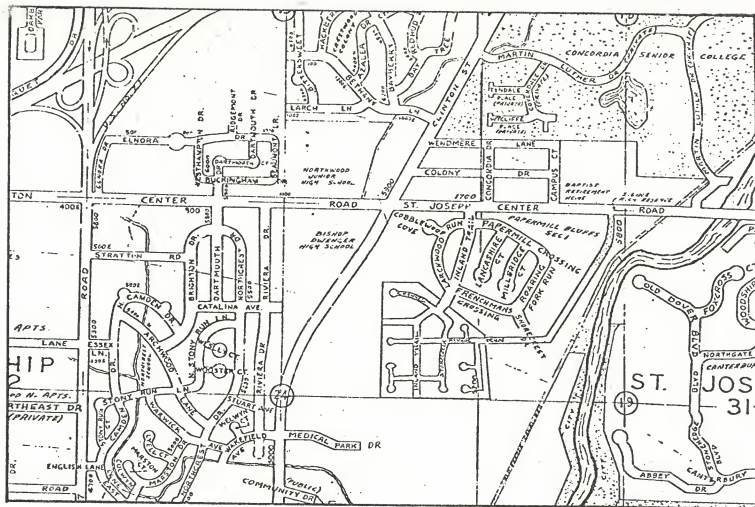


STREET RIGHT OF WAY VACATION

MAP NO. P-34



6-79-07-11



STREET RIGHT OF WAY VACATION

MAP NO. P-34

N



PETITION FOR THE RELOCATION of a portion of River Run Trail established as a fifty foot (50') Public Roadway easement by the Recorded Plat of Woodlands of Riverside, recorded in plat book 39, pages 78-80, in the Office of the Recorder of Allen County, Indiana.

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioners do hereby respectfully petition the Fort Wayne City Plan Commission to relocate the following Public Roadway easement described as follows:

PORTION OF RIVER RUN TRAIL TO BE VACATED:

description attached and marked Exhibit "A"

PORTION OF RIVER RUN TRAIL TO BE ESTABLISHED:

description attached and marked Exhibit "B"

In support thereof, the petitioners represent the following:

1. They are the owners of the affected real estate and the real estate abutting both sides of the existing and proposed portions of River Run Trail;
2. That the existing portion of River Run Trail is not improved as a public thoroughfare and does not contain public utilities;
3. That the relocated portion of River Run Trail continues to provide a fifty foot (50') Public Roadway easement from the residential lots established by the Plat of Woodlands of Riverside to St. Joseph Center Road;
4. The interest of the City of Fort Wayne and the citizens thereof is unchanged by reason of this relocation.

Your petitioners file this petition pursuant to the authority granted in Indiana Code, Section 18-7-5-46, in order to complete the vacation and establishment of the easement as above described.

WHEREFORE, your petitioners pray that the above described Public Roadway easement be relocated according to the provisions of the Indiana Law pertaining thereto.

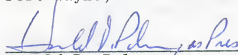
DATED THIS 3RD DAY OF JULY, 1979.

"PETITIONER"

"PETITIONER"

Countryside Builders, Inc.
5675 St. Joseph Center Road
Fort Wayne, Indiana 46815

Gene B. Glick Company, Inc.
P.O. Box 40177
Indianapolis, Indiana 46240


Harold D. Palmer
President


James T. Bisesi
Vice President

3675 North Post Road
Indianapolis, Indiana 46226
(317) 898-8282
Mailing Address
P. O. Box 26068



Vincent J. Schneider, PE LS, President
John V. Schneider PE LS, V.P.

SCHNEIDER ENGINEERING CORPORATION Job #363
Civil Engineers - Land Surveyors

LEGAL DESCRIPTION

PORTION OF RIVER RUN TRAIL TO BE VACATED

Part of a certain "50 foot public roadway easement", as set out in the platting of "The Woodlands of Riverside" as recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, which part is that traversing through land set out in deed recorded May 10, 1979 as Instrument #79-12235, Gene B. Glick Company, Inc., grantee, along with a portion of said "50 foot public roadway easement" lying South of the said Glick land being more particularly described as follows:

Commencing at the Northwest corner of Section 19, Township 31 North, Range 13 East in Allen County, Indiana; thence South 00 degrees 37 minutes West along the West line of the said Section 19 a distance of 45.0 feet to the South right of way line of St. Joseph Center Road; thence South 89 degrees 50 minutes East along the said South right of way line, which line is the North line of the said land set out in Deed to Gene B. Glick Company, Inc., 1397 feet to the West line of the said "50 foot public roadway easement", which is the PLACE OF BEGINNING; continue thence South 89 degrees 50 minutes East along the said South right of way line 50.0 feet to the East line of the said "50 foot public roadway easement", (the next 5 described lines are along the said East line); thence South 0 degree 10 minutes West a distance of 35.0 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 91.70 feet subtended by a chord of 91.19 feet with a bearing of South 10 degrees 20 minutes East; thence South 20 degrees 51 minutes East a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 222.53 feet subtended by a chord of 217.46 feet with a bearing of South 0 degree 36 minutes East; thence South 21 degrees 39 minutes West a distance of 625.72 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence South 21 degrees 39 minutes West 271.24 feet; thence North 68 degrees 21 minutes West 50.00 feet to the West line of the said "50 foot public roadway easement"; thence North 21 degrees 39 minutes East 271.27 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence North 21 degrees 39 minutes East 625.68 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 185.44 feet subtended by a chord of 181.22 feet with a bearing of North 0 degree 36 minutes West; thence North 20 degrees 51 minutes West a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 110.04 feet subtended by a chord of 109.43 feet with a bearing of North 10 degrees 20 minutes West; thence North 0 degree 10 minutes East a distance of 35.0 feet to the PLACE OF BEGINNING.

7/2/79

EXHIBIT "A"



SCHNEIDER ENGINEERING CORPORATION
Civil Engineers - Land Surveyors

Job #363
Page #1 of 2

7/3/79

LEGAL DESCRIPTION

PORTION OF RIVER RUN TRAIL TO BE
ESTABLISHED

Part of Fractional North Half of Section 19, Township 31 North,
Range 13 East, Allen County, Indiana, more particularly
described as follows:

Commencing at the Northwest corner of said Section 19, said point indicated by a brass plug situated on the centerline of the St. Joseph Center Road; thence South 00 degrees 37 minutes West (based on deed bearing for the Wabash and Erie Canal Feeder) on the Range line a distance of 45.0 feet to the South right of way line of the St. Joseph Center Road as established by Indiana Project S 728 (1) 1961; thence South 89 degrees 50 minutes East along the South right of way of said St. Joseph Center Road as situated 45.0 feet normally distant South of said road centerline and established by Highway right of way Grant as recorded in Deed Record 591, page 156-157 in the Office of the Recorder of said County, a distance of 1317.25 feet to the POINT OF BEGINNING OF THIS DESCRIPTION; thence continuing South 89 degrees 50 minutes East along the said South right of way line a distance of 75.00 feet to a point on a 42.44132 degree curve to the left, the radius point of said curve being South 89 degrees 51 minutes 18 seconds East 135.00 feet from said point; thence Southeasterly along said curve 101.40 feet to the POINT OF REVERSE CURVATURE of a 32.74045 degree curve to the right, the radius point of said curve being South 47 degrees 06 minutes 58 seconds West 175.00 feet from said point; thence Southeasterly along said curve 63.24 feet to a point, the radius point of said curve being South 67 degrees 49 minutes 21 seconds West 175.00 feet from said point; thence South 67 degrees 49 minutes 21 seconds West 15.00 feet to a point on a 35.80986 degree curve to the right, the radius point of said curve being South 67 degrees 49 minutes 21 seconds West 160.00 feet from said point; thence Southwesterly along said curve 196.44 feet to the POINT OF TANGENCY thereof, the radius point of said curve being North 41 degrees 50 minutes 00 seconds West 160.00 feet from said point; thence South 48 degrees 10 minutes 00 seconds West 142.29 feet to the POINT OF CURVATURE of a 45.83662 degree curve to the left, the radius point of said curve being South 41 degrees 50 minutes 00 seconds East 125.00 feet from said point; thence Southwesterly along said curve 57.76 feet to the POINT OF TANGENCY thereof, the radius point of said curve being South 68 degrees 18 minutes 35 seconds East 125.00 feet from said point; thence South 21 degrees 41 minutes 25 seconds West 473.86 feet to a curve having a radius of 125.00 feet, the radius point, of which, bears South 68 degrees 18 minutes 35 seconds East; thence Southerly along the said curve 129.98 feet to a point which lies South 52 degrees 06 minutes 38 seconds West from the said radius point; thence South 37 degrees 53 minutes 22 seconds East, 25.00 feet to a curve having a radius of 175.00 feet, the radius point, of which, bears South 52 degrees 06 minutes 38 seconds West; thence Southerly along the said curve 181.85 feet to the East line of a "50 foot public roadway easement" as set out in the platting of "The Woodlands of Riverside" as

EXHIBIT "B"

3675 North Post Road
Indianapolis, Indiana 46226
(317) 898-8282
Mailing Address
P. O. Box 26068



Vincent J. Schneider, PE LS, President
John V. Schneider PE LS, V.P.

SCHNEIDER ENGINEERING CORPORATION
Civil Engineers - Land Surveyors

Job #363
Page #2 of 2

7/3/79

LEGAL DESCRIPTION CONTINUED

recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, at a point which lies South 68 degrees 21 minutes East from the said radius point; thence North 68 degrees 21 minutes West 50.00 feet to the West line of the said "50 foot public roadway easement" at the beginning of a curve having a radius of 125.00 feet; the radius point, of which, bears North 68 degrees 21 minutes West; thence Northerly along the said curve 129.90 feet to a point which bears North 52 degrees 06 minutes 38 seconds East from the said radius point; thence North 37 degrees 53 minutes 22 seconds West 25.00 feet to a curve having a radius of 175.00 feet, the radius point, of which bears North 52 degrees 06 minutes 38 seconds East; thence Northerly along the said curve 181.98 feet to a point which bears North 68 degrees 18 minutes 35 seconds West from the said radius point; thence North 21 degrees 41 minutes 25 seconds East 473.86 feet to the POINT OF CURVATURE of a 32.74045 degree curve to the right, the radius point of said curve being South 68 degrees 18 minutes 35 seconds East 175.00 feet from said point; thence Northeasterly along said curve 80.87 feet to the POINT OF TANGENCY thereof; the radius point of said curve being South 41 degrees 50 minutes 00 seconds East 175.00 feet from said point; thence North 48 degrees 10 minutes 00 seconds East 142.29 feet to the POINT OF CURVATURE of a 52.08707 degree curve to the left, the radius point of said curve being North 41 degrees 50 minutes 00 seconds West 110.00 feet from said point; thence Northwesterly along said curve 183.66 feet to the POINT OF REVERSE CURVATURE of a 32.50456 degree curve to the right, the radius point of said curve being North 42 degrees 30 minutes 18 seconds East 176.40 feet from said point; thence Northeasterly along said curve 146.58 feet to the PLACE OF BEGINNING.

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SCHNEIDER ENGINEERING CORPORATION
Civil Engineers - Land Surveyors

ST. JOSEPH CENTER ROAD

NW COR
SEC. 19-31-13

S 00° 37' W - 45.0'

WEST LINE
SEC. 19-31-13

SOUTH R/W LINE ST. JOSEPH

S 89° 50' E -
1397'

Big Point

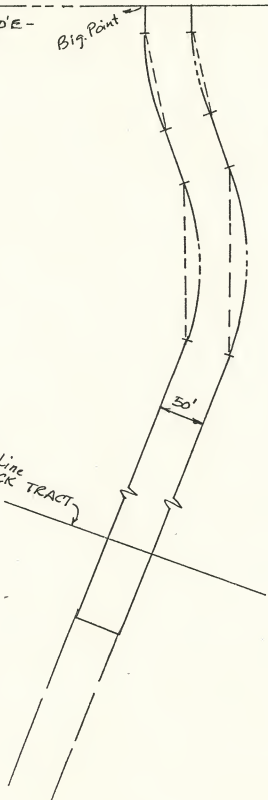
EXHIBIT
"A"



ASSUMED NORTH
SCALE: 1"=100'

South Line
GLICK TRACT

50'

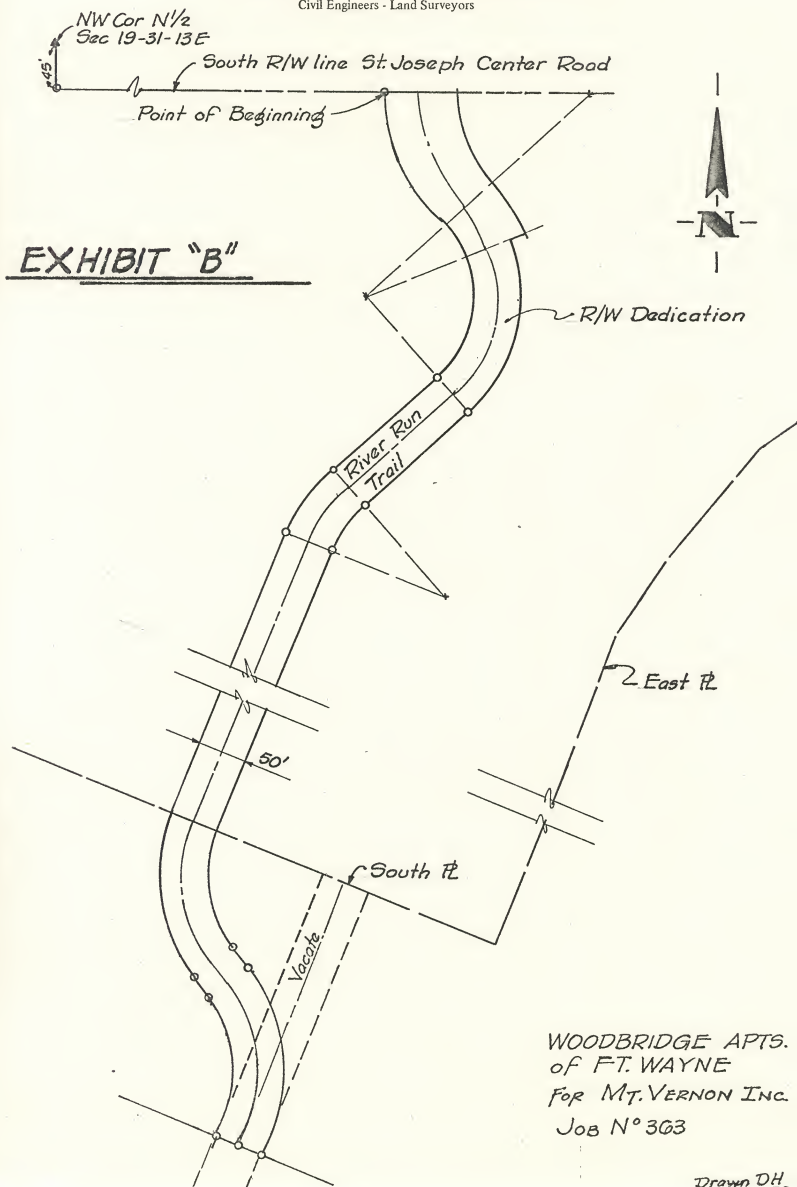


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166 # 363
Vincent J. Schneider, PE LS, President
John V. Schneider PE LS, V.P.

SCHNEIDER ENGINEERING CORPORATION
Civil Engineers - Land Surveyors



WHEREAS, GENE B. GLICK COMPANY, INC., and HAROLD PALMER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

Part of a certain "50 foot public roadway easement", as set out in the platting of "The Woodlands of Riverside" as recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, which part is that traversing through land set out in deed recorded May 10, 1979 as Instrument #79-12235, Gene B. Glick Company, Inc., grantee, along with a portion of said "50 foot public roadway easement" lying South of the said Glick land being more particularly described as follows:

Commencing at the Northwest corner of Section 19, Township 31 North, Range 13 East in Allen County, Indiana; thence South 00 degrees 37 minutes West along the West line of the said Section 19 a distance of 45.0 feet to the South right of way line of St. Joseph Center Road; thence South 89 degrees 50 minutes East along the said South right of way line, which line is the North line of the said land set out in Deed to Gene B. Glick Company, Inc., 1397 feet to the West line of the said "50 foot public roadway easement", which is the PLACE OF BEGINNING; continue thence South 89 degrees 50 minutes East along the said South right of way line 50.0 feet to the East line of the said "50 foot public roadway easement", (the next 5 described lines are along the said East line); thence South 0 degree 10 minutes West a distance of 35.0 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 91.70 feet subtended by a chord of 91.19 feet with a bearing of South 10 degrees 20 minutes East; thence South 20 degrees 51 minutes East a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 222.53 feet subtended by a chord of 217.46 feet with a bearing of South 0 degree 36 minutes East; thence South 21 degrees 39 minutes West a distance of 625.72 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence South 21 degrees 39 minutes West 271.24 feet; thence North 68 degrees 21 minutes West 50.00 feet to the West line of the said "50 foot public roadway easement", thence North 21 degrees 39 minutes East 271.27 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence North 21 degrees 39 minutes East 625.68 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 185.44 feet subtended by a chord of 181.22 feet with a bearing of North 0 degree 36 minutes West; thence North 20 degrees 51 minutes West a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 110.04 feet subtended by a chord of 109.43 feet with a bearing of North 10 degrees 20 minutes West; thence North 0 degree 10 minutes East a distance of 35.0 feet to the PLACE OF BEGINNING.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held August 8, 1979 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 8th DAY OF August 19 79

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

RESOLUTION

WHEREAS, GENE B. GLICK COMPANY, INC., and HAROLD PALMER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

Part of a certain "50 foot public roadway easement", as set out in the platting of "The Woodlands of Riverside" as recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, which part is that traversing through land set out in deed recorded May 10, 1979 as Instrument #79-12235, Gene B. Glick Company, Inc., grantee, along with a portion of said "50 foot public roadway easement" lying South of the said Glick land being more particularly described as follows:

Commencing at the Northwest corner of Section 19, Township 31 North, Range 13 East in Allen County, Indiana; thence South 00 degrees 37 minutes West along the West line of the said Section 19 a distance of 45.0 feet to the South right of way line of St. Joseph Center Road; thence South 89 degrees 50 minutes East along the said South right of way line, which line is the North line of the said land set out in Deed to Gene B. Glick Company, Inc., 1397 feet to the West line of the said "50 foot public roadway easement", which is the PLACE OF BEGINNING; continue thence South 89 degrees 50 minutes East along the said South right of way line 50.0 feet to the East line of the said "50 foot public roadway easement", (the next 5 described lines are along the said East line); thence South 0 degree 10 minutes West a distance of 35.0 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 91.70 feet subtended by a chord of 91.19 feet with a bearing of South 10 degrees 20 minutes East; thence South 20 degrees 51 minutes East a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 222.53 feet subtended by a chord of 217.46 feet with a bearing of South 0 degree 36 minutes East; thence South 21 degrees 39 minutes West a distance of 625.72 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence South 21 degrees 39 minutes West 271.24 feet; thence North 68 degrees 21 minutes West 50.00 feet to the West line of the said "50 foot public roadway easement", thence North 21 degrees 39 minutes East 271.27 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence North 21 degrees 39 minutes East 625.68 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 185.44 feet subtended by a chord of 181.22 feet with a bearing of North 0 degree 36 minutes West; thence North 20 degrees 51 minutes West a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 110.04 feet subtended by a chord of 109.43 feet with a bearing of North 10 degrees 20 minutes West; thence North 0 degree 10 minutes East a distance of 35.0 feet to the PLACE OF BEGINNING.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 16, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should

prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said public street in Allen County, Indiana.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Thomas G. Adams, Secretary pf the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 16, 1979 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF July 19 79

FORT WAYNE CITY PLAN COMMISSION

Thomas G. Adams

Thomas G. Adams
Secretary

4529

DIGEST SHEET

Admn. Appr. _____

8-79-07-11

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A portion of River Run Trail lying west of St. Joseph River, South of St. Joe Center Road and East of Paper Mill Bluffs, approximately 1044 feet, more or less.

EFFECT OF PASSAGE Property is now public right-of-way. Property will be closed for public use and revert to abutting property owners.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

September 6, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of
September 10 and September 17, 1979, in both the News Sentinel
and Journal Gazette.

RE: Legal Notice for Common
Council of Fort Wayne, Indiana

Vaction of River Run Trail
Bill No. G-79-07-11
General Ordinance No. G-18-79

Amending Code of 1974
Bill No. G-79-08-17
General Ordinance No. G-19-79

Please send us (8) eight copies of the Publisher's Affidavit
from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 28th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-07-11 -- General Ordinance No. G-18-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of River Run Trail.

Notice is hereby given that on the 28th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-08-17 -- General Ordinance No. G-19-79, being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-79-07-11 -- General Ordinance No. G-18-79 and Bill No. G-79-08-17 -- General Ordinance No. G-19-79 were passed by the Common Council on the 28th day of August, 1979, and said Ordinances were duly signed and approved by the Mayor on the 4th day of September, 1979, and now remains on file and on record in my office.

Copies of said Bill No. G-79-07-11 -- General Ordinance No. G-18-79 and Bill No. G-79-08-17 -- General Ordinance No. G-19-79 will be posted in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East Door of the Allen County Court House

Copies of Said Bill No. G-79-07-11 -- General Ordinance No. G-18-79 and Bill No. G-79-08-17 -- General Ordinance No. G-19-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana


Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated above on September 10.


Charles W. Westerman
City Clerk

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines
Head number of lines
Body number of lines 69
Tail number of lines 2
Total number of lines in notice 71

COMPUTATION OF CHARGES

71 lines, 1 columns wide equals 71 equivalent lines at .259 \$ 15.39
cents per line
Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (50 cents for each proof in excess of two) 3.00
TOTAL AMOUNT OF CLAIM. \$ 21.39

DATA FOR COMPUTING COST

Width of single column 9.9 ems Size of type 12 point
Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provisions of Ch. 89, Acts 1967.
I hereby certify that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date. Title. ARVILLA DE WALD CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/10 - 9/17/79

Subscribed and sworn to before me this 17 th day of September 1979

My commission expires September 28, 1979

Notice is hereby given that on the 28th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-07-11 - General Ordinance No. G-18-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of River Run Trail.
Notice is hereby given that on the 28th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-08-17 - General Ordinance No. G-19-79, being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of Fort Wayne, Indiana of 1974.
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-79-07-11 - General Ordinance No. G-18-79 and Bill No. G-79-08-17 - General Ordinance No. G-19-79 were passed by the Common Council on the 28th day of August, 1979, and said Ordinances were duly signed and approved by the Mayor on the 4th day of September, 1979, and now remain on file and on record in my office.
Copies of said Bill No. G-79-07-11 - General Ordinance No. G-18-79 and Bill No. G-79-08-17 - General Ordinance No. G-19-79 will be posted in the following places in Fort Wayne, Allen County, Indiana.
(1) The main floor lobby of the City-County Building
(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
(3) The bulletin board in the lobby at the East Door of the Allen County Court House
Copies of said Bill No. G-79-07-11 - General Ordinance No. G-18-79 and Bill No. G-79-08-17 - General Ordinance No. G-19-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.
(1) Reference Room in the north end of the main floor in said Downtown Public Library
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.
Charles W. Westerman
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated above on September 10
Charles W. Westerman
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen County, Ind.

To **JOURNAL-GAZETTE** Dr.
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	_____
Head number of lines	_____
Body number of lines	<u>69</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>71</u>

COMPUTATION OF CHARGES

71 lines, 1 columns wide equals 71 equivalent lines at .259 cents per line \$ 18.39

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3.00

TOTAL AMOUNT OF CLAIM. \$ 21.39

DATA FOR COMPUTING COST

Width of single column 9.9 cms Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 2 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Sept. 17 19 79

Title CLERK

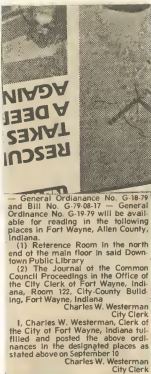
PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town _____ in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/10 - 9/17/79

Subscribed and sworn to before me this 17 th day of September 19 79

My commission expires September 28, 1979



Fort Wayne Common Council
(Governmental Unit)To **NEWS-SENTINEL** Dr**Allen**

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

69**2****71**

COMPUTATION OF CHARGES

71 lines, **1** columns wide equals **71** equivalent lines at **.259** \$ **18.39**
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

3.00

TOTAL AMOUNT OF CLAIM.

\$ **21.39**

DATA FOR COMPUTING COST

Width of single column 9.9 cms

Size of type **5 1/2** pointSize of quad upon which type is cast **5 1/2**

Pur Notice is hereby given that on the 28th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-08-11 - General Ordinance No. G-18-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of River Run Trail.

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I he Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-79-08-11 - General Ordinance No. G-18-79 and Bill No. G-79-08-17 - General Ordinance No. G-18-79 were passed by the Common Council on the 28th day of August, 1979, and said Ordinances were duly signed and approved by the Mayor on the 4th day of September, 1979, and now remains on file and on record in my office.

the Copies of said Bill No. G-79-08-11 - General Ordinance No. G-18-79 and Bill No. G-79-08-17 - General Ordinance No. G-18-79 will be posted in the following places in Fort Wayne, Allen County, Indiana:

1) The main floor lobby of the City County Building

2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

3) The main floor lobby of the City of the Allen County Court House

4) Copies of said Bill No. G-79-08-11 - General Ordinance No. G-18-79 and Bill No. G-79-08-17 - General Ordinance No. G-18-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana:

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City County Building, Fort Wayne, Indiana

Charles W. Westerman
City Clerk

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated above on September 18, 1979.

Charles W. Westerman
City Clerk

of Ch. 89., Acts 1967.

ount is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

*V. E. Gerken*Title **CLERK**

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned, **V. E. GERKEN**, who, being duly sworn, says that she is **CLERK** of the**NEWS-SENTINEL****DAILY**a newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**, the dates of publication being as follows:**9/10 - 9/17/79**Subscribed and sworn to before me this **17 th** day of **September** 19 **79**My commission expires **September 28, 1979**

Notary Public

Fort Wayne Common Council
(Governmental Unit)

To **NEWS-SENTINEL** Dr

Allen County, Ind.

FORT WAYNE INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

69

2

71

COMPUTATION OF CHARGES

71 lines, **1** columns wide equals **71** equivalent lines at **.259** cents per line \$ **18.39**

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.

3.00

\$ **21.39**

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type **5 1/2** point

Number of insertions **2**

Size of quad upon which type is cast **5 1/2**

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date **Sept. 17, 1979**

Title **CLERK**

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS.

Personally appeared before me, a notary public in and for said county and state, the undersigned **V. E. GERKEN** who, being duly sworn, says that she is **CLERK** of the

NEWS-SENTINEL

a **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**, the dates of publication being as follows:

9/10 - 9/17/79

Subscribed and sworn to before me this **17 th** day of **September** 19 **79**

My commission expires **September 28, 1979**

ACCOUNTANTS
and Bill No. G-77-08-17 - General Ordinance No. G-19-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana:
(1) Reference Room in the north end of the main floor in said Downtown Public Library
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana
Charles W. Westerman
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated above on September 10, 1979.
Charles W. Westerman
City Clerk

ACCOUNTING SUPERVISOR
To \$15,000 + Fee Paid 2 Yr. See
Yr. related experience + sup
Victory exposure quality
Excellent firm & benefits
LIFE 423-137